

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

COVALENT MEDICAL, INC.,

Plaintiff,

v.

Case No. 06-10623

LAST CHANCE TISSUE ADHESIVES
CORPORATION, DAVID D. COX, and DAVID
A. BROWDIE,

HONORABLE AVERN COHN

Defendants.

ORDER RESERVING DECISION ON MOTION TO BIFURCATE
AND
AMENDING PRETRIAL AND SCHEDULING ORDER

This is a contract case involving a patent. Discovery is closed. Before the Court is Covalent's motion to bifurcate the issues of (1) whether the Technology Transfer Agreement (TTA) between the parties requires Covalent to assign to defendants modifications or enhancements of the '036 patent made after the execution of the TTA, and (2) if the Court determines that Covalent does have a duty to assign modifications and enhancements, are those modifications and enhancements limited to the scope of the claims of the '036 patent.

For the reasons stated at the hearing on January 9, 2008, a decision on the motion is reserved pending completion of the Joint Pretrial Statement.

As to scheduling, the Pretrial and Scheduling Order dated July 11, 2007 is AMENDED. The following dates apply:

The Joint Pretrial Statement shall be filed by **Friday, January 18, 2008.**

The final pretrial conference shall be held on **Friday, February 1, 2008 at 2:30 p.m.**

A trial date will be set at the final pretrial conference.

SO ORDERED.

s/Avern Cohn
AVERN COHN
UNITED STATES DISTRICT JUDGE

Dated: January 10, 2008

I hereby certify that a copy of the foregoing document was mailed to the attorneys of record on this date, January 10, 2008, by electronic and/or ordinary mail.

s/Julie Owens
Case Manager, (313) 234-5160